



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: October 11, 2019

TONY M. DAVIS
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE:	§	
	§	CASE NO. 16-10020-TMD
FPMC AUSTIN REALTY	§	(Chapter 11)
PARTNERS, LP,	§	
	§	
Debtor.	§	

ORDER GRANTING AGREED EXPEDITED MOTION TO (I) VACATE ORDER AND, (II) CLOSE THE CASE

The Court, having considered the *Agreed Emergency Motion to (i) Abate Order Ruling and Abating in Part Show Cause Proceeding and (ii) Close the Case* (the “**Motion**”);¹ and having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided

¹ Capitalized terms not defined herein shall have the meanings given to them in the Motion.

under the circumstances; and it appearing that no other or further notice need be provided; and the Court having determined that the legal and factual grounds set forth in the Motion, and the record of proceedings in this matter, establish just cause for the relief granted herein; among other reasons, the Third Show Cause Order has no precedential value and the settlement is conditioned upon vacatur, and any objections to the relief sought herein having been withdrawn or overruled; and after due deliberation and sufficient cause appearing therefor:

IT IS ORDERED that, upon satisfaction of the Conditions Precedent set forth in the Global Settlement, the Motion is granted in its entirety;

IT IS FURTHER ORDERED that, upon satisfaction of the Conditions Precedent set forth in the Global Settlement, the obligations of the parties under the Third Show Cause Order have been subsumed by the Global Settlement and so the Third Show Cause Order should be vacated in its entirety and that neither Party shall have any obligations thereunder;

IT IS FURTHER ORDERED that, the Case is hereby closed, but may be reopened by motion if the Conditions Precedent set forth in the Global Settlement are not satisfied;

IT IS FURTHER ORDERED that if the Conditions Precedent set forth in Global Settlement are not timely satisfied, this Order shall be void and shall have no further effect.

IT IS FURTHER ORDERED that this Court shall have jurisdiction over any and all disputes arising under this Order.

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United States Bankruptcy Court
Western District of Texas

In re:
FPMC Austin Realty Partners, LP
Debtor

Case No. 16-10020-tmd
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0542-1

User: wallacea
Form ID: pdfintp

Page 1 of 3
Total Noticed: 14

Date Rcvd: Oct 11, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 13, 2019.

db #+FPMC Austin Realty Partners, LP, 3030 Olive Street, Suite 220, Dallas, TX 75219-7639
aty +John C. Tishler, Waller Lansden Dortch & Davis, LLP, 511 Union Street, Ste 2700,
Nashville, TN 37219-1791
aty Rhonda Bear Mates, Streusand Landon Ozburn Lemmon LLP, 1801 S. Mopac Expressway,
Suite 320, Austin, TX 78746
aty +Tyler N. Layne, Waller Lansden Dortch & Davis, LLP, 511 Union Street, Ste 2700,
Nashville, TN 37219-1791
aty +Veronica Cruz, Haynes and Boone, LLP, 1221 McKinney Street, Houston, TX 77010-2011
cr Amarillo National Bank, Mullin Hoard & Brown, C/O Don D. Sunderland, P. O. Box 31656,
Amarillo, TX 79120-1656
intp +CH Realty VI/MO Austin FPMC, LP, 3819 Maple Avenue, Dallas, TX 75219-3913
intp +Cherry Bekaert LLP, 200 South 10th Street, Suite 900, Richmond, VA 23219-4064
intp +K&L Gates LLP, c/o david Weitman, 1717 Main St #2800, Dallas, TX 75201-7342
intp +Kreager Mitchell, PLLC, Kreager Mitchel PLLC, 7373 Broadway, Suite 500,
San Antonio, TX 78209-3269
intp +Todd Furniss, c/o Bruce W. Akerly, Malone Akerly Martin PLLC, 8750 N. Central Expressway,
Suite 1850, Dallas, TX 75231-6454
cr +Williamson County, Texas, c/o Lee Gordon, P.O. Box 1269, Round Rock, TX 78680-1269
intp +gLeDontodd Capital LLC, c/o Bruce W. Akerly, Malone Akerly Martin PLLC,
8750 N. Central Expressway, Suite 1850, Dallas, TX 75231-6454

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
intp +E-mail/Text: jmims@iq7technology.com Oct 12 2019 00:20:33 Jeffrey H. Mims,
Founders Square, Suite 570, 900 Jackson Street, Dallas, TX 75202-4404

TOTAL: 1

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
cr ##+Adolfson & Peterson, c/o Gardere Wynne Sewell, 3000 Thanksgiving Tower, 1601 Elm Street,
Kaufman, TX 75201-4757

TOTALS: 0, * 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 13, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 11, 2019 at the address(es) listed below:

Brian Talbot Cumings on behalf of Interested Party TVKV Investments bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Spice 4 Management, Ltd bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Lisa Hansard bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Dallas Plastic Surgery Institute
bcumings@gdhm.com, ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Bryan Kansas bcumings@gdhm.com,
ctrickey@gdhm.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Brian Talbot Cumings on behalf of Interested Party FMARR Investment Group, LLC
bcumings@gdhm.com, ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Eric Heinrich bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Michael Putney bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Amaja, Ltd. bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Mark Perella bcumings@gdhm.com,
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Brian Talbot Cumings on behalf of Interested Party Oscar Tamez bcumings@gdhm.com,
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Brian Talbot Cumings on behalf of Interested Party Sherry Neyman bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party James Golab bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Steve Wilson bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Ira Lown bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Peters Group Family Management
bcumings@gdhm.com, ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Aravind Sankar bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Attorney Graves Dougherty Hearon and Moody P.C.
bcumings@gdhm.com, ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Michelle Hudson bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party The Arthur Clay Group, LLC
bcumings@gdhm.com, ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Mark Sherman bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party David Dodgin bcumings@gdhm.com,
ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Serota Limited Family Partnership
bcumings@gdhm.com, ctrickey@gdhm.com
Brian Talbot Cumings on behalf of Interested Party Nancy Marquez bcumings@gdhm.com,
ctrickey@gdhm.com
Bruce W. Akerly on behalf of Debtor FPMC Austin Realty Partners, LP bakerly@akerlylaw.com,
Lawclerk@akerlylaw.com/mgorman@akerlylaw.com
Bruce W. Akerly on behalf of Interested Party Todd Furniss bakerly@akerlylaw.com,
Lawclerk@akerlylaw.com/mgorman@akerlylaw.com
Bruce W. Akerly on behalf of Interested Party gLendontodd Capital LLC bakerly@akerlylaw.com,
Lawclerk@akerlylaw.com/mgorman@akerlylaw.com
Charles R. Gibbs on behalf of Interested Party Todd Furniss Charles.gibbs@kattenlaw.com,
casey.stuckey@kattenlaw.com/ecf.lax.docket@kattenlaw.com/karen.lahrman@kattenlaw.com/nicole.nowacki@kattenlaw.com
Charles R. Gibbs on behalf of Interested Party gLendontodd Capital LLC
Charles.gibbs@kattenlaw.com,
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David Weitman on behalf of Interested Party K&L Gates LLP david.weitman@klgates.com,
greg.sapiere@klgates.com
Deborah A. Bynum on behalf of U.S. Trustee United States Trustee - AU12
deborah.a.bynum@usdoj.gov
Don D. Sunderland on behalf of Creditor Amarillo National Bank dsunderl@mhba.com,
krobertson@mhba.com
Duston K. McFaul on behalf of Creditor Sidley Austin LLP dmcfaul@sidley.com,
txefilingnotice@sidley.com
Edwin Paul Keiffer on behalf of Creditor Wade Barker pkeiffer@romclaw.com,
bwallace@romclaw.com
Eric C. Seitz on behalf of Interested Party Todd Furniss esnitz@kattenlaw.com,
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Eric C. Seitz on behalf of Interested Party gLendontodd Capital LLC esnitz@kattenlaw.com,
ecf.lax.docket@kattenlaw.com/karen.lahrman@kattenlaw.com/casey.stuckey@kattenlaw.com/Charles.gibbs@kattenlaw.com/casey.stuckey@kattenlaw.com/nicole.nowacki@kattenlaw.com
Eric J. Taube on behalf of Interested Party St. David's Healthcare Partnership, L.P.
eric.taube@wallerlaw.com, sherri.savala@wallerlaw.com/annmarie.jezisek@wallerlaw.com
Francis B Majorie on behalf of Interested Party CH Realty VI/MO Austin FPMC, LP
fbmajorie@themajoriefirm.com, ECFNoticesTheMajorieFirm@gmail.com
Howard Marc Spector on behalf of Interested Party Howard Marc Spector
hspector@spectorjohnson.com, sshank@spectorjohnson.com/ahawkins@spectorjohnson.com
J. Mark Chevallier on behalf of Interested Party Texas Capital Bank, N.A.
mchevallier@mcsllaw.com
Jacob B. Kring on behalf of Interested Party Steve Wilson Jacob@HedrickKring.com,
Mckenzie@HedrickKring.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Jacob B. Kring on behalf of Interested Party Peters Group Family Management
Jacob@HedrickKring.com, McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Mark Sherman Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Dallas Plastic Surgery Institute
Jacob@HedrickKring.com, McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Michael Putney Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party David Dodgin Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party James Golab Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Sherry Neyman Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Ira Lown Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Spice 4 Management, Ltd Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Bryan Kansas Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Eric Heinrich Jacob@HedrickKring.com,
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McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Michelle Hudson Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party The Arthur Clay Group, LLC
Jacob@HedrickKring.com, McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Serota Limited Family Partnership
Jacob@HedrickKring.com, McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party FMARR Investment Group, LLC
Jacob@HedrickKring.com, McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Lisa Hansard Jacob@HedrickKring.com,
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Jacob B. Kring on behalf of Interested Party Aravind Sankar Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Oscar Tamez Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party CH Realty VI/MO Austin FPMC, LP
Jacob@HedrickKring.com, McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party TVKV Investments Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Jacob B. Kring on behalf of Interested Party Amaja, Ltd. Jacob@HedrickKring.com,
McKenzie@HedrickKring.com
Joel B. Bailey on behalf of Interested Party Neal Richards Group, LLC Joel@HedrickKring.com,
Josh@HedrickKring.com
Kelli S. Norfleet on behalf of Interested Party Ascension Health Texas d/b/a Seton Healthcare
Family kelli.norfleet@haynesboone.com
Kelli S. Norfleet on behalf of Creditor Children's Health System of Texas
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Kelli S. Norfleet on behalf of Interested Party Children's Health System of Texas
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Kelli S. Norfleet on behalf of Creditor Ascension Health Texas d/b/a Seton Healthcare Family
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Lee Gordon on behalf of Creditor Williamson County, Texas
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kjones@bsblawyers.com
Marcus A. Helt on behalf of Creditor Adolfson & Peterson mhelt@foley.com, acordero@foley.com
Peter C. Ruggero on behalf of Interested Party STERIS Corporation peter@ruggierolaw.com
Raymond W. Battaglia on behalf of Debtor FPMC Austin Realty Partners, LP
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Raymond W. Battaglia on behalf of Interested Party Kreager Mitchell, PLLC
rbattaglia@outlook.com
Stephen Wayne Lemmon on behalf of Debtor FPMC Austin Realty Partners, LP lemmon@slollp.com,
mates@slollp.com
Steven T. Holmes on behalf of Interested Party Jeffrey H. Mims sholmes@chfirm.com
Timothy Andrew York on behalf of Creditor Frost Bank tyork@qslwm.com, nchancellor@qslwm.com
United States Trustee - AU12 ustpreion07.au.ecf@usdoj.gov

TOTAL: 80